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Attorney for Defendant/Counterclaimant  
*SMITH'S FOOD & DRUG CENTERS, INC.*

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF NEVADA**

|                                       |   |  |
|---------------------------------------|---|--|
| USF INSURANCE COMPANY,                | ) |  |
| a Michigan corporation,               | ) | CASE NO.: 2:10-cv-01513 MMD VCF            |
|                                       | ) |  |
| Plaintiff,                            | ) |  |
|                                       | ) |  |
| vs.                                   | ) | <b><u>STIPULATION AND ORDER FOR</u></b>    |
|                                       | ) | <b><u>DISMISSAL OF LITIGATION WITH</u></b> |
|                                       | ) | <b><u>PREJUDICE</u></b>                    |
| SMITH'S FOOD AND DRUG CENTER,         | ) |  |
| INC. d/b/a SMITH'S FOOD AND DRUG      | ) |  |
| CENTER, #377, an Ohio corporation and | ) |  |
| J&I MAINTENANCE, a Utah corporation,  | ) |  |
|                                       | ) |  |
| Defendants.                           | ) |  |
|                                       | ) |  |
| AND ALL RELATED CLAIMS                | ) |  |
|                                       | ) |  |

Plaintiff USF Insurance Company, by and through its attorneys of record, WILSON  
ELSER MOSKOWITZ EDELMAN & DICKER LLP and THE McKAY LAW FIRM, Chtd.;  
and Defendant Smith's Food and Drug Center Inc., by and through its attorneys of record,  
PRINCE & KEATING, hereby agree to dismiss this litigation in its entirety with prejudice.

...

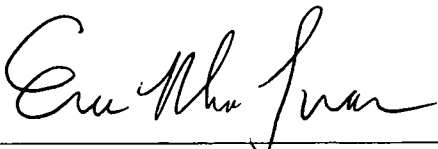
...

The parties further agree that all parties will bear their own attorney's fees and costs in connection with this litigation.

Dated this 9<sup>th</sup> day of January, 2014.

Dated this 9<sup>th</sup> day of January, 2014.

**PRINCE & KEATING**



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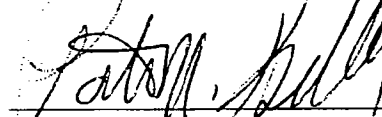
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*Attorneys for Defendants/Counterclaimants*

**WILSON ELSEER MOSKOWITZ**

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PATRICK M. KELLY

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(CA SBN 45426)

PAMELA MCKAY

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555 S. Flower Street, Suite 2900

Los Angeles, CA 90071

*Attorney for Plaintiff/Counterdefendant*

**ORDER**

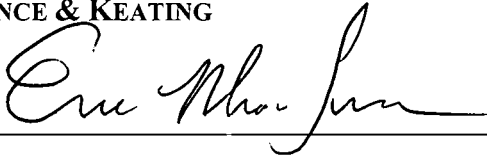
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that this lawsuit will be dismissed in its entirety with prejudice, and that the parties shall bear their own attorney's fees and costs in connection with this litigation.

Dated: January 27, 2014



UNITED STATES DISTRICT JUDGE

Submitted by:  
**PRINCE & KEATING**



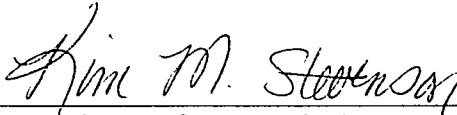
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*Attorneys for Defendants/Counterclaimants*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of January, 2014, caused service of the foregoing  
STIPULATION AND ORDER FOR DISMISSAL OF LITIGATION WITH PREJUDICE to  
be made by depositing a true and correct copy of same in the United States Mail, postage fully  
prepaid, addressed to the following:

Pamela A. McKay, Esq.  
McKAY LAW FIRM, CHTD.  
3295 North Fort Apache Road, Suite 150  
Las Vegas, Nevada 89129  
Facsimile: (702) 835-6957  
*Attorney for Plaintiff/Counterdefendant*

Patrick M. Kelly, Esq. (CA SBN 45426) *Pro Hac Vice*  
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Los Angeles, CA 90071

  
An employee of PRINCE & KEATING